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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 URIAH ZAMIR CRAIN and)
 NICOLE ELIZABETH NOWAK,)
)
 Defendants.)
 _____)

STIPULATION TO CONTINUE PRELIMINARY HEARING

IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre, Acting United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for the United States of America; Telia U. Williams, Esq., counsel for Defendant NICOLE ELIZABETH NOWAK; and Heidi A. Ojeda, Assistant Federal Public Defender, counsel for Defendant URIAH ZAMIR CRAIN, that the preliminary hearing for the above-captioned matter, currently scheduled for September 8, 2017, at the hour of 4:00 p.m., be vacated and continued to a date and time convenient for this Court, but in no event earlier than thirty (30) days.

This stipulation is entered for the following reasons:

1 1. The Government has made an early production of discovery to the Defendants in
2 an effort to reach a pre-indictment plea agreement as to each Defendant, and counsel for the
3 Defendants need an opportunity to further review the discovery and discuss it with the
4 Defendants.

5 2. The Government has tendered proposed plea agreements to each of the
6 Defendants. Said plea agreements will obviate the need for either a preliminary hearing in this
7 matter or for the Government to present this matter to a federal grand jury. Counsel for the
8 Defendants will need additional time to discuss the proposed plea agreements with the
9 Defendants.

10 3. The Defendants are in custody, but they do not object to the continuance.

11 4. Denial of this request for continuance of the preliminary hearing would
12 potentially prejudice both the Defendants and the Government and unnecessarily consume this
13 Court's valuable resources, taking into account the exercise of due diligence.

14 5. Additionally, denial of this request for continuance could result in a miscarriage
15 of justice.

16 6. The additional time requested by this stipulation is excludable in computing the
17 time within which the Defendants must be indicted and the trial herein must commence pursuant
18 to the Speedy Trial Act, 18 U.S.C. §§ 3161(b) and 3161(h)(8)(A), considering the factors under
19 18 U.S.C. § 3161(h)(8)(B)(i) and (iv).

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7. This is the second request for a continuance of the preliminary hearing herein as to Defendant NICOLE ELIZABETH NOWAK, and the first request for a continuance of the preliminary hearing herein as to Defendant URIAH ZAMIR CRAIN.

DATED: September 1, 2017.

/s/
PHILLIP N. SMITH, JR.
Assistant United States Attorney
Counsel for the United States

/s/

/s/
HEIDI A. OJEDA, AFPD
Counsel for Defendant URIAH CRAIN

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,) 2:17-mj-710-GWF
Plaintiff,)
vs.) **ORDER CONTINUING
PRELIMINARY HEARING**
URIAH ZAMIR CRAIN and)
NICOLE ELIZABETH NOWAK,)
Defendants.)

ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, **IT IS HEREBY ORDERED**, that the preliminary hearing in the above-captioned matter, currently scheduled for September 8, 2017, at the hour of 4:00 p.m., be vacated and continued to October 11 , 2017 at the hour of 4:00 p .m.

UNITED STATES MAGISTRATE JUDGE
Dated: September 5, 2017